

Office of General Counsel  
Federal Election Commission  
999 E. Street N.W.  
Washington, D.C. 20463

2014 FEB 19 PM 1:29

OFFICE OF  
COUNSEL

Mr. Scott Kalota

Phoenix, AZ 85020

February 12, 2014

MUR # 6785

To Whom It May Concern,

I, Scott Kalota, bring this complaint before the Federal Election Commission (FEC) with the purpose of seeking an immediate investigation and enforcement action against Adam Charles Kwasman, who resides at Oro Valley, AZ 85737, in addition to seeking an immediate audit of his campaign committee, Kwasman for Congress, for multiple violations of federal campaign finance laws and FEC rules regulating federal candidate campaign committees. The complaints are listed below with supporting evidence from publicly available sources and references to FEC regulations:

**1. Conducting campaign activity over a protracted period of time without filing a statement of candidacy with the FEC.** On July 8<sup>th</sup>, 2013, Adam Kwasman announced he was forming an "exploratory committee" to explore a run for Congress in Arizona's 1<sup>st</sup> Congressional District. Adam Kwasman began referring to himself as a candidate for Congress and using public political advertising to announce his intention to run. He also attended multiple events across the district where he discussed his candidacy. However, he did not file a statement of candidacy until November 8<sup>th</sup>, 2013. See Appendix A for supporting evidence.

**2. Missing the deadline to file a statement of candidacy with the FEC.** Adam Kwasman publicly announced on October 21<sup>st</sup>, 2013 he was no longer exploring a candidacy for Congress but was now officially running as a candidate for Congress in Arizona's 1<sup>st</sup> Congressional District. However,

Adam Kwasman did not file a statement of candidacy with the FEC until November 8<sup>th</sup>, 2013, four days past the deadline to the file, according to documents posted on the FEC website (which includes a UPS tracking slip) showing that the documents were not sent to the FEC until November 8<sup>th</sup>, 2013. See Appendix B for supporting evidence.

**3. Missing the deadline to file a statement of organization with the FEC.** Adam Kwasman was required to file a statement of organization with the FEC no later than November 18<sup>th</sup>, 2013 but he did not file a statement of organization until December 9<sup>th</sup>, 2013, according to the FEC's public disclosure website. See Appendix B for supporting evidence.

**4. Raising over \$5,000 while "testing the waters" and not filing a statement of candidacy with the FEC once \$5,000 was contributed to his campaign.** According to Kwasman for Congress's 2013 Year End campaign finance report, Adam Kwasman raised over \$5,000 on October 1<sup>st</sup>, 2013, but he did not file a statement of candidacy with the FEC until November 8<sup>th</sup>, 2013. See Appendix C for supporting evidence.

**5. Missing the deadline to file the 2013 Year End campaign finance report.** The deadline to file the 2013 Year End campaign finance report was midnight on January 31<sup>st</sup>, 2014. Kwasman for Congress's 2013 Year End campaign finance report was not filed until 11:02 am on February 1<sup>st</sup>, 2014. See Appendix C for supporting evidence.

**6. Accepting donations above the maximum limits for an individual congressional campaign committee.** According to Kwasman for Congress's 2013 Year End campaign finance report, Adam Kwasman accepted three \$10,000 donations to his campaign committee. Each one of these donations is \$4800 dollars above the maximum amount that an individual can give to a congressional candidate committee. In an amended report filed on February 4<sup>th</sup>, 2014, the donations are removed from the report, however there are no refunds listed. See Appendix B for supporting evidence.

7. Using assets paid for by a state-level campaign finance committee to support a federal congressional campaign committee. At multiple events, Adam Kwasman has used assets paid for from his state legislative campaign committee to support his congressional campaign. See Appendix C for supporting evidence.

8. Marking campaign materials with a disclaimer for campaign committee that does not exist. Adam Kwasman and volunteers for congressional campaign have handed multiple campaign material with the disclaimer "Paid for by Kwasman Congress, Exploratory", a committee which was never registered with the FEC. See Appendix C for supporting evidence.

Based on the above violations, I, Scott Kalota, hereby request that the Federal Election Commission conduct an immediate investigation into Adam Charles Kwasman and his campaign committee Kwasman for Congress.

Sincerely,

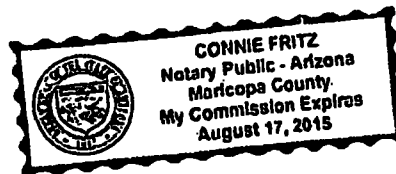
Scott Kalota

Signed and sworn on

Feb 12, 2014

Scott Kalota

Notary Public



## Appendix A

"Adam Kwasman Forms Exploratory Committee for Congress." July 8<sup>th</sup>, 2013. Web. *Sonoran Alliance*.

<http://sonoranalliance.com/2013/07/08/adam-kwasman-forms-exploratory-committee-for-arizonas-congressional-district-1/>

**CD 1 PRIMARY  
VOTER GUIDE**

**ANDY TOBIN**  
FRIEND OF BIG GOVERNMENT  
Billion dollar tax increase  
Compromised on OBAMACARE  
Killed Scott Walker-style Union Reforms  
Voted YES on COMMON CORE  
Rated "FRIEND OF BIG GOVERNMENT"

**ADAM KWASMAN**  
RANKED #1 IN ARIZONA  
FIGHTS FOR LOWER TAXES  
Led Fight AGAINST OBAMACARE  
CO-SPONSORED Scott Walker-style Union Reforms  
Voted NO on Common Core  
Rated "HERO OF THE TAXPAYER"

**THE CHOICE IS CLEAR!**

**Adam KWASMAN**  
CONGRESS  
PROVEN CONSERVATIVE LEADERSHIP  
ADAMKWASMAN.COM  
PAID FOR BY KWASMAN FOR CONGRESS, EXPLORATORY

Posted on *Sonoran Alliance* on October 16<sup>th</sup>, 2013 before Adam Kwasman officially declared for Congress: <http://sonoranalliance.com/2013/10/16/primary-voter-guide-contrasts-kwasman-and-tobin>

## Appendix B

According to the FEC candidate brochure:

*"Within 15 days after an individual becomes a candidate, he or she must designate a principal campaign committee as the principal committee to receive contributions and make expenditures on the candidate's behalf. This designation must be made in writing by filing a Statement of Candidacy (FEC Form 2[PDF]) or by filing a letter with the same information (i.e., the individual's name and address, the district and/or state in which the federal office is sought, and the name and address of his or her principal campaign committee). 11 CFR 101.1(a). Candidates for the House and Presidency file Form 2 with the FEC, while Senate candidates file Form 2 with the Secretary of the Senate.*

*Within 10 days after it has been designated by the candidate, the principal campaign committee must file a Statement of Organization (FEC Form 1) [PDF] with the FEC or, in the case of Senate candidates, with the Secretary of the Senate. The Statement must identify the committee's treasurer, bank depositories, any other committees authorized by the same candidate 4 and other pertinent information, described below. 11 CFR 102.1(a) and 102.2(a)."*

"Kwasman Announces Candidacy in Ariz. CD1 Race." *The Associated Press*. October 21<sup>st</sup>, 2013.  
<http://azcapitoltimes.com/news/2013/10/21/kwasman-announces-candidacy-in-ariz-1st-cd-race/>

Adam Kwasman's Statement of Candidacy:

<http://docquery.fec.gov/pdf/568/13031140568/13031140568.pdf>

Kwasman for Congress's Statement of Organization:

<http://docquery.fec.gov/pdf/000/13031143000/13031143000.pdf>

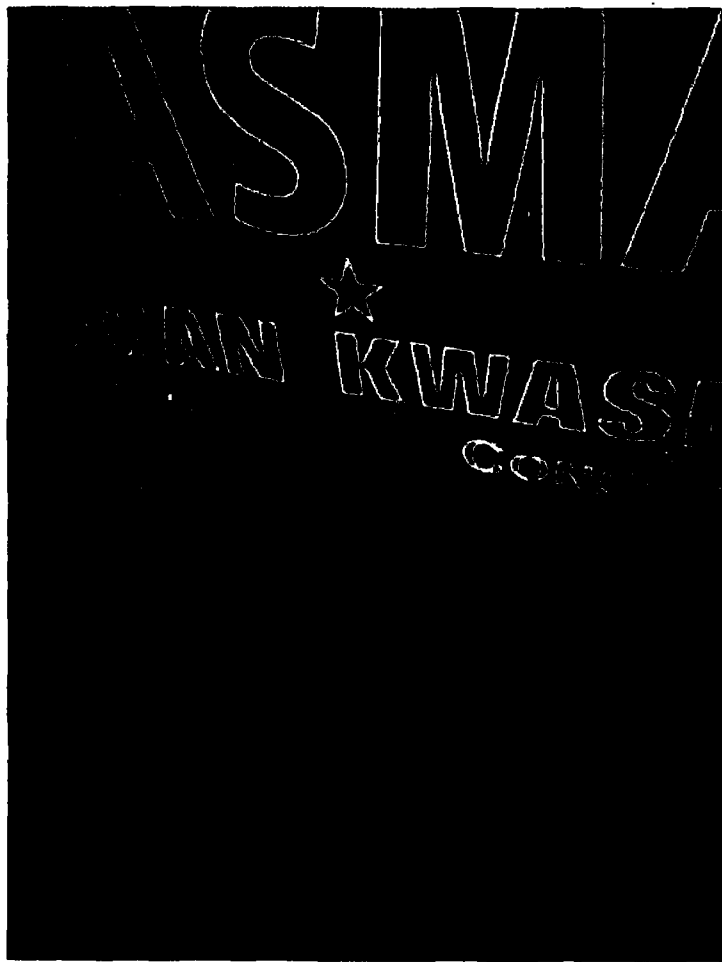
Kwasman's 2013 Year-End Finance Report:

<http://docquery.fec.gov/cgi-bin/dcdev/forms/C00552992/906532/sa/ALL>

## Appendix C



ADAM KWASMAN



**ADAM KWASMAN**  
Congress

- ★ AWARD "HERO OF THE TAXPAYER"
- ★ NRA LIFE MEMBER
- ★ MASTER'S IN ECON
- ★ PRO-LIFE
- ★ HUNTER/OUTDOORSMAN
- ★ BORN AND RAISED IN ARIZONA

[www.AdamKwagman.com](http://www.AdamKwagman.com)

REPRESENTATIVE IN CONGRESS

“Under FEC regulations, a candidate's federal campaign committee may not accept funds or assets transferred from a committee established by the same candidate for a nonfederal election campaign. 11 CFR 110.3(d).”